UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/436
30 September 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 102

INTERNATIONAL DRUG CONTROL

Implementation of the Global Programme of Action adopted by the General Assembly at its seventeenth special session

Report of the Secretary-General

CONTENTS

		Paragraphs	*Page*
INTRODUCTION		1 - 12	3
	A. Action taken by the Economic and Social Council	5	3
	B. Evaluation of progress made and recommendations to improve implementation	6 - 12	4
I.	PREVENTION AND REDUCTION OF DRUG ABUSE WITH A VIEW TO THE ELIMINATION OF THE ILLICIT DEMAND FOR NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES	13 - 19	5
II.	TREATMENT, REHABILITATION AND SOCIAL REINTEGRATION OF DRUG ADDICTS	20 - 25	7

96-25753 (E) 031096 071096

CONTENTS *(continued)*

		Paragraphs
III.	CONTROL OF SUPPLY OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES	26 - 44
	A. Eradication and substitution of the illicit production of narcotic drugs, and eradication of the illicit processing of such drugs, and of the illicit production and diversion of psychotropic substances	26 - 29
	B. Licit production, manufacture and supply of narcotic drugs and psychotropic substances	30 - 31
	C. Cooperation at the multilateral level	32 - 41
	D. Monitoring and control mechanisms	42 - 44
IV.	SUPPRESSION OF ILLICIT TRAFFICKING IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES	45 - 50
V.	MEASURES TO BE TAKEN AGAINST THE EFFECTS OF MONEY DERIVED FROM, USED IN OR INTENDED FOR USE IN ILLICIT DRUG TRAFFICKING, ILLEGAL FINANCIAL FLOWS AND ILLEGAL USE OF THE BANKING SYSTEM	51 - 55
VI.	STRENGTHENING OF JUDICIAL AND LEGAL SYSTEMS, INCLUDING LAW ENFORCEMENT	56 - 62
VII.	MEASURES TO BE TAKEN AGAINST THE DIVERSION OF ARMS AND EXPLOSIVES AND ILLICIT DRUG TRAFFICKING BY VESSELS, AIRCRAFT AND VEHICLES	63 - 65
VIII.	UNITED NATIONS DECADE AGAINST DRUG ABUSE, COVERING THE YEARS 1991-2000	66 - 69
IX.	RESOURCES AND STRUCTURE	70 - 74

INTRODUCTION

1. The General Assembly, at its seventeenth special session, by its resolution S-17/2 of 23 February 1990, adopted the Political Declaration and the Global Programme of Action on international cooperation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances. The Global Programme of Action, annexed to that resolution, sets out a comprehensive list of measures and activities to be undertaken by States and United Nations entities collectively and simultaneously in the fight against all aspects of drug abuse and illicit traffic.

2. As stated in the Global Programme of Action, paragraph 97, the Commission on Narcotic Drugs and the United Nations drug control bodies should continuously monitor progress on the implementation of the Global Programme of Action and the Secretary-General should report annually to the General Assembly on all activities relating to the Global Programme of Action and the efforts of Governments. In its resolution 4 (XXXVII) of 20 April 1994, the Commission on Narcotic Drugs requested the Secretary-General to include an evaluation of progress on implementation of the Global Programme of Action in future reports.

3. To facilitate reporting, the Commission on Narcotic Drugs in its resolution 4 (XXXVII) requested the Secretariat to send a questionnaire to all Governments soliciting information on activities undertaken to implement the Global Programme of Action. As of 31 August 1996, replies had been received from 62 States and territories: Argentina, Armenia, Azerbaijan, Austria, Belgium, Brazil, Brunei Darussalam, Colombia, Cook Islands, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Ethiopia, Finland, Ghana, Greece, India, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Mexico, Monaco, Morocco, Myanmar, Namibia, Nepal, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Republic of Korea, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Sweden, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Vanuatu. The European Community also informed the Secretariat on activities undertaken to promote and implement the Global Programme of Action. Information submitted by States was complemented by information from other official sources.

4. The present report is structured thematically along the lines of the Global Programme of Action. Each section contains a general overview of approaches and policies developed by States individually, in cooperation with other States at the bilateral, regional and international levels and international organizations. Concrete examples of programmes and measures implemented at the national level have also been included. In accordance with General Assembly resolutions 49/168 of 23 December 1994 and 50/148 of 21 December 1995, the report contains an evaluation of progress on the implementation of the Global Programme of Action and recommendations on ways and means of improving implementation.

A. Action taken by the Economic and Social Council and the Commission on Narcotic Drugs

5. The Commission on Narcotic Drugs at its thirty-ninth session and the Economic and Social Council at its substantive session of 1996 adopted resolutions that have a bearing on the themes of the Global Programme of Action. Those resolutions deal, in particular, with the following: action to strengthen international cooperation to control precursors and their substitutes used in the illicit manufacture of controlled substances, in particular amphetamine-type stimulants, and to prevent their diversion (Council resolution 1996/29 of 24 July 1996); measures to combat diversion of psychotropic substances and to establish effective control over operations carried out by intermediaries in international trade of psychotropic substances (Council resolution 1996/30 of

24 July 1996); and demand for and supply of opiates for medical and scientific needs (Council resolution 1996/19 of 23 July 1996). The ten resolutions adopted by the Commission at its thirty-ninth session in 1996 also address issues that are relevant to the Global Programme of Action such as demand reduction, supply reduction and money-laundering.

B. Evaluation of progress made and recommendations to improve implementation

6. With respect to reducing the illicit demand for drugs, most Governments reported prevention and information campaigns to increase awareness of the dangers of drug abuse; most of those campaigns targeted young people. Although the number of Governments reporting the existence of a national strategy aimed at preventing and reducing the illicit demand for drugs is increasing, their overall number remains low. Therefore, States that have not yet done so should draw up comprehensive and sustainable national demand reduction strategies that encompass prevention, education, treatment and rehabilitation programmes and allocate sufficient resources to implement them. States should also carefully monitor implementation and effectiveness of national demand reduction strategies and are invited to share experiences thereon with other States, either through the United Nations International Drug Control Programme (UNDCP) or on a bilateral basis. Many Governments continue to count on non-governmental organizations as partners in drug abuse control, particularly when it comes to developing and implementing prevention policies. States should continue that type of cooperation and, where feasible, extend it to include other actors of civil society. As regards the elaboration of an international instrument against the illicit demand for drugs, it may be noted that the Executive Director of UNDCP has been requested by the Economic and Social Council, in its resolution 1996/18 of 23 July 1996, to continue to develop, in consultation with Member States, a draft declaration on the guiding principles of demand reduction.

7. While many Governments provide treatment to drug abusers, the number of existing facilities is often reported to be insufficient. In many instances, this is because of an upsurge in drug abuse or an increase in the number of abusers that are willing to undergo treatment. The absence of a national policy for the treatment, rehabilitation and social reintegration of drug abusers may also contribute to the shortage of appropriate facilities. States that are in the process of establishing specialized treatment facilities for drug abusers should therefore ensure that programmes for treating and rehabilitating such persons are embedded in national policies. In developing such national policies, particular attention should be paid to rehabilitating drug abusers and reintegrating former drug abusers into society, with special emphasis on assisting former drug abusers in securing accommodation and employment. The inclusion of vocational and social rehabilitation techniques could result in greater motivation for drug abusers to take part in treatment programmes, a factor that is vital to ensuring its long-term success. Governments should continue to involve non-governmental organizations in providing counselling and long-term support to former drug abusers.

8. Eradication of illicit crops remains a daunting challenge, although some progress has been reported in some areas. As illicit cultivation sites are often located in remote and mountainous areas, the elimination of such crops has been difficult to achieve. States should therefore increase their efforts to eradicate illicit crops and, if necessary, request assistance for that purpose. Although more and more States have established systems to monitor and control substances frequently used in the illicit manufacture of drugs, there is a need to strengthen existing control mechanisms and operating procedures, particularly with a view to ensuring timely relay of information relating to suspicious movements or transactions involving such substances.

9. Many States have concluded bilateral and regional agreements and arrangements to facilitate operational cooperation in law enforcement matters, including cooperation in the execution or implementation of judicial

processes such as extradition or mutual legal assistance, as set out in the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.[1] States are invited to review their legislation with a view to ensuring that drug trafficking offences are defined as extraditable offences and are included in existing and contemplated extradition treaties. States should also consider simplifying extradition proceedings.

10. While Governments have made efforts to strengthen interdiction capabilities in terms of resources allocated to the suppression of illicit drug trafficking, there remains a need to strengthen the active intelligence capacity of States. Governments should build intelligence systems that collect and analyse intelligence and, in so doing, consider establishing a central entity responsible for the collection, analysis, research and dissemination of drug-related intelligence. Care should be taken to ensure that all drug law enforcement agencies have access to the intelligence information emanating from such a system.

11. Several Governments have reported preparing or enacting penal provisions on drug-related money-laundering offences and comprehensive legislation that would enable the investigation of such offences and provide for the confiscation of proceeds derived from illicit trafficking, in accordance with articles 3 and 5 of the 1988 Convention. In addition, States have implemented numerous measures to prevent criminal use of the banking system. While control measures usually apply to banks and deposit-taking organizations, other institutions that handle large volumes of cash (and might thus be susceptible to be used for laundering proceeds from drug-related activities) are not always subject to the same stringent measures. States are therefore encouraged to extend the measures to those institutions. Consideration should also be given to establishing systems to detect suspicious import of cash at border crossings. States that have not already done so should consider the possibility of using forfeited proceeds for drug-control activities, including contributing to drug-related projects of the United Nations.

12. Further progress has been recorded with respect to the adherence of States to the international drug control treaties. It is noted with satisfaction that most States that manufacture and export psychotropic substances have become parties to the Convention on Psychotropic Substances of 1971[2] or are in the process of completing legislative and other enabling changes for ratification of it. Of all the international drug control treaties, the 1988 Convention has the lowest number of parties. States that are signatories to that Convention should, as a matter of priority, proceed towards its ratification so that there will be universal adherence to and implementation of it by the end of the millennium.

I. PREVENTION AND REDUCTION OF DRUG ABUSE WITH A VIEW TO THE ELIMINATION OF THE ILLICIT DEMAND FOR NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

13. The number of Governments that have reported having adopted strategies to reduce the illicit demand for drugs is increasing. Most of those strategies comprise a range of preventive action, including multiple components such as prevention and education programmes, media campaigns and a prevention-focused health policy but do not always include measures that will ensure treatment, rehabilitation and social reintegration of drug abusers. Very few Governments have indicated whether sufficient resources have been allocated to ensure full implementation of national demand reduction strategies.

14. The bulk of reported activities to prevent drug abuse relate to the implementation of drug education programmes or seminars targeting young people at the primary, secondary or post-secondary level of education.

A smaller number of prevention programmes are aimed at other groups deemed to be vulnerable to drug abuse, such as street children. One of the main goals of education programmes is to alert the target audience to the dangers of drug abuse. Occasionally, prevention programmes include activities that provide recreation and opportunities to develop a variety of skills. Education programmes are at times supplemented by counselling services provided by institutions such as the police or the church. A number of Governments have supported the establishment of 24-hour helplines where drug abusers may seek advice. Governments continue to enlist the mass media to disseminate anti-drug messages, most television networks and radio stations broadcast such messages as a public service.

15. Many Governments have reported taking steps to train professionals involved in drug education programmes. Training is generally aimed at ensuring that those involved with people deemed to be at risk of abusing drugs have accurate information about drugs and develop techniques for delivering effective and consistent prevention messages. Several States outlined their plans of training a large number of people engaged in prevention activities. Train-the-trainers programmes for institutions dealing with drug abuse have also been implemented.

16. In accordance with the Global Programme of Action, Governments have carried out studies on various aspects of the phenomenon of drug abuse. Studies completed in 1995 were on, *inter alia*, the abuse of psychoactive substances by women and the psychosocial characteristics of minors abusing inhalants. While some Governments have established national systems to assess the extent, trends and pattern of drug abuse and collect data on drug abuse at regular intervals, many have to rely on rapid assessment studies to assess the magnitude of drug abuse in their countries and to target their interventions accordingly.

17. Demand reduction activities are usually multi-ministerial initiatives, involving in most cases not only ministries of health or education, but also ministries of labour or employment, justice and defence and also entities that deal primarily with law enforcement such as the police. Particularly in countries where activities are carried out by various institutions or where drug prevention action is decentralized, coordinating bodies have been established to manage the various programmes implemented to reduce the illicit demand for drugs and to avoid duplication of resources.

18. Governments continue to cooperate closely with non-governmental organizations which, in many cases, implement anti-drug education programmes or provide counselling services. A number of Governments have made efforts to enlist the support of other actors of civil society, including youth services, religious groups and business and professional associations.

19. Progress has been made on the elaboration of guiding principles on reducing the illicit demand for drugs. Pursuant to Economic and Social Council resolution 1995/16 of 24 July 1995, the Executive Director of UNDCP identified, in consultation with Governments and interested organizations, elements to be included in a draft declaration on the guiding principles on demand reduction, which were examined by the Commission on Narcotic Drugs at its thirty-ninth session. In its resolution 1996/18, the Council requested the Executive Director to further develop the draft declaration and to convene a working group to assist him in that task.

II. TREATMENT, REHABILITATION AND SOCIAL REINTEGRATION OF DRUG ADDICTS

20. Generally, drug abuse is viewed as a disease amenable to treatment and most Governments attempt to provide treatment to all drug abusers who seek it. Treatment is usually voluntary,** free of charge to the drug abuser and carried out by governmental institutions. Some programmes respect the drug abuser's desire for anonymity. Treatment is often confined to detoxification in hospitals or alcohol rehabilitation centres, although an increased number of Governments have established specialized treatment centres for drug abusers.

21. Many Governments have indicated that demand for treatment services exceed supply and some Governments have reported planning to establish specialized treatment and rehabilitation centres or expanding existing treatment facilities. Methadone maintenance programmes are being implemented in an increasing number of countries in eastern and western Europe. Clinical trials on the possible use of buprenorphine for treating drug abusers have also been reported.

22. In providing treatment, Governments seek to pay due regard to the diverse needs of individual drug abusers. Particular emphasis has been put on preventing the spread of communicable diseases among injecting drug abusers and on treating drug-addicted offenders, who often account for a significant proportion of the prison population.

23. Although most treatment and rehabilitation programmes often place former drug abusers under medical supervision with a view to monitoring their development and preventing relapse, few activities are aimed at facilitating the reintegration of such persons into society. That important task appears to be left to the drug abuser's immediate family or friends, although there have been reports of efforts to associate families in the rehabilitation process. Vocational training, including training aimed at assisting the drug abuser in developing marketable skills and in finding appropriate employment, only rarely forms part of treatment and rehabilitation programmes.

24. Training programmes have been conducted for social service and health personnel who deal with drug addicts. Such programmes are aimed at providing them with the fundamental technical skills and the knowledge they need to do their work. Training has also been conducted for judges and judicial personnel to encourage the application of measures involving treatment, rehabilitation and social reintegration of persons who have committed minor drug-related offences. In developing countries, training is often provided through bilateral assistance.

25. Governments continue to facilitate and promote the involvement of non-governmental organizations in the field, particularly in providing counselling services and long-term support to drug abusers or former drug abusers, and often provide financial resources in the form of grants or incentives to organizations that perform social welfare services or other services aimed at preventing or treating drug abuse.

** A smaller number of Governments operate compulsory programmes. Legislation in some countries provides for compulsory treatment under certain circumstances (e.g. for pregnant or violent drug abusers).

III. CONTROL OF SUPPLY OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

A. Eradication and substitution of the illicit production of narcotic drugs, and eradication of the illicit processing of such drugs, and of the illicit production and diversion of psychotropic substances

26. Several Governments have reported efforts to eradicate the illicit cultivation of narcotic plants, in most cases, cannabis, a plant that grows wild in many countries. Several States carry out annual eradication campaigns to eliminate the illicit cultivation of cannabis and opium poppy. Efforts have also been made to eradicate the illicit cultivation of coca bush. Where the licit cultivation of opium poppy takes place, strict control measures are implemented (such as continuous supervision of the production of opium) to prevent the diversion of licitly produced opiates into the illicit traffic. Other reported action concerns the dismantling of clandestine laboratories where heroine, morphine or cocaine are manufactured.

27. Some Governments have reported adopting strategies of rural or alternative development to combat the illicit cultivation of narcotic plants. Those strategies entail the cultivation of economically viable crops and are, in most cases, supported by measures to improve transport and communication infrastructure, social services and activities to develop agricultural marketing opportunities. Despite the fact that some States have implemented a variety of measures to eradicate illicit crop cultivation or to prevent clandestine drug manufacture, those problems continue to pose a challenge. This is partly because the high cost of detection and eradication measures in remote areas constitutes a serious obstacle to establishing effective eradication programmes.

28. The role of UNDCP in alternative development has gradually shifted from involvement in fully funded projects towards the provision of support to strengthen the technical capacity of the institutions responsible for implementing national alternative development plans. While alternative development projects will in future involve continued active partnership between UNDCP and the Governments concerned, alternative development will be clearly identified as an integral part of national rural development. UNDCP will continue its emphasis on the achievement of drug-control objectives.

29. UNDCP will be more closely engaged in securing the involvement and active commitment of potential bilateral donors, United Nations entities, international financial institutions and regional organizations involved in development work. Emphasis will be placed on the role of UNDCP as advocate, technical partner, coordinator and partial source of funding. The new approach will be supported by outposted alternative development advisers based in Asia and Latin America.

B. Licit production, manufacture and supply of narcotic drugs and psychotropic substances

30. Governments have reported no difficulties in maintaining a balance between demand for and supply of raw materials and intermediate and final products for legitimate uses, including medical and scientific products. Several measures, including frequent reporting on production and stocks, as well as inspections, have contributed to maintaining that balance. However, the International Narcotics Control Board (INCB), in a special report entitled *Availability of Opiates for Medical Needs*,[3] found that the medical need for opiates was far from being fully satisfied in both less developed and developed countries and recommended a number of measures to be taken by Governments in order to ensure availability of morphine and other opiates for medical and scientific purposes.

31. While calculated consumption of opiates exceeded the production of opiate raw materials in 1994, for 1995 total production was expected to exceed consumption by approximately 50 tons in morphine equivalent. According to projections of INCB,[4] excess production could reach over 60 tons in morphine equivalent in 1996. Pursuant to various Economic and Social Council resolutions, INCB, in cooperation with Governments, has endeavoured to achieve a long-lasting balance between supply of and demand for opiates. States producing opium are restricting the areas under opium poppy cultivation and major importing countries are bearing in mind the relevant Council resolutions when importing opiate raw materials.

C. Cooperation at the multilateral level

Africa

32. In 1995, as a follow-up to the memorandum of understanding adopted in 1994 by UNDCP and the Organization of African Unity (OAU), UNDCP provided technical assistance to OAU in the preparation of a draft plan of action and a draft declaration for drug control at the continental level, which have subsequently been adopted. One of the main features of the draft plan of action is the appeal to regional institutions to support efforts to combat the drug problem.

33. UNDCP participated in a conference on cross-border trafficking, organized by the Southern African Development Community (SADC) and the European Community, held at Mmabatho, South Africa, from 30 October to 4 November 1995. A protocol on combating illicit drugs in southern Africa was adopted, including provisions on cooperation in drug law enforcement and on the adoption of legislative and administrative measures against corruption. The protocol was ratified in June 1996 by the States members of SADC and has now entered into force. UNDCP advocacy work and its involvement with SADC follow its strategy of contributing, through regional institutions, to the establishment and strengthening of regional programmes in drug control. UNDCP support to the above-mentioned conference complements the assistance it provides to the member States of SADC in the implementation of the plan of action for cooperation in investigating drug-trafficking offences and prosecution of traffickers, adopted at the UNDCP-sponsored legal workshop on subregional cooperation against drug trafficking held at Pretoria, South Africa, in 1994.

Asia and the Pacific

34. A landmark development in cooperation in South-East Asia was the adoption at Beijing in May 1995 of a plan of action by the signatories to the UNDCP memorandum of understanding between Cambodia, China, Lao People's Democratic Republic, Myanmar, Thailand and Viet Nam. Twelve subregional projects proposed under the plan of action are being developed.

35. UNDCP signed a memorandum of understanding in August 1995 with the South Asian Association for Regional Cooperation (SAARC). UNDCP supported SAARC drug-control activities by providing technical assistance to workshops organized by SAARC on drug law enforcement and demand reduction. A memorandum of understanding between UNDCP and the Economic Cooperation Organization (ECO), providing a further framework for collaboration in drug-control activities between the States of south-west Asia and member States of the Commonwealth of Independent States in central Asia, was signed in March 1995. UNDCP provided technical support to ECO efforts in the formulation of a regional drug-control policy and participated in a meeting held by ECO at Tehran in November 1995 to elaborate its drug-control plan.

36. In the Pacific, UNDCP has initiated a three-year programme to provide support to the drug-law enforcement training scheme implemented by the South Pacific Forum.

Europe and the Middle East

37. A landmark development in cooperation in drug-related matters in the Middle East was the convening of a technical meeting at Cairo in July 1995 to identify joint drug-control problems, particularly patterns in illicit trafficking and drug abuse, and to consult on eventual subregional countermeasures. Egypt, Israel, Jordan and the Palestinian Authority participated in the meeting, exploring avenues of subregional cooperation, particularly the exchange of drug law enforcement information.

38. In July 1995, UNDCP participated in a meeting held at Vienna with the aim of improving cooperation between the United Nations and the League of Arab States. The meeting, *inter alia*, resulted in recommendations to strengthen cooperation between the League of Arab States and UNDCP in fund-raising, training and information exchange. At a follow-up meeting held at Cairo in July 1995, UNDCP and the secretariat of the League reviewed specific measures for future cooperation, in particular the possible provision of support by the League to UNDCP programmes in Lebanon.

39. A memorandum of understanding was signed between UNDCP, Kazakstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in May 1996. Over a period of three years, the resulting programme will place priority on institution-building, law enforcement, and supply and demand reduction. Projects to be implemented will, *inter alia*, encompass assistance in formulating new national legislation to combat drug-related problems, improving data collection and management and in enhancing law enforcement, including cross-border cooperation among national law enforcement agencies.

Latin America and the Caribbean

40. As follow-up to the memorandum of understanding concluded in 1994 under the aegis of UNDCP between Argentina, Bolivia, Chile and Peru, UNDCP approved a subregional training programme for drug law enforcement. The objective of the programme is to optimize existing resources in those States, as a first step towards the establishment of a long-term training programme for the subregion.

41. A high-level strategy meeting held in Barbados from 15 to 17 May 1996 resulted in the adoption of a plan of action for drug control coordination and cooperation for the Caribbean. The action plan sets out specific activities to be undertaken by States and territories in the subregion and is intended to provide a framework for their cooperation in all areas in the fight against drug abuse and illicit trafficking, including harmonization of legislation, judicial cooperation, law enforcement, maritime cooperation and demand-reduction issues.

D. Monitoring and control mechanisms

42. Several regional or international agreements on the control of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances are in place, such as Council of the European Communities directive on precursor control, whose provisions are binding on States members of the European Community, or the recommendations adopted by the former Chemical Action Task Force established by the Heads of State or Government of the Group of Seven major industrialized nations and the President of the Commission of the European Communities at the sixteenth annual economic summit, held at Houston, Texas, United States of America, in July 1990, which are currently monitored by INCB. In addition, the European

Community has concluded cooperation agreements with several States outside the region in order to prevent diversion of chemicals, material and equipment frequently used in the illicit manufacture of narcotic drugs and psychotropic substances.

43. Many Governments have in place a system by which trade and movements of substances frequently used in illicit drug manufacture are monitored. Those monitoring systems are applied in cooperation with manufacturers of such substances or others who alert them to suspicious movements or transactions involving such substances. Specialized units, usually within a law enforcement agency, collect and analyse data. Some States also undertake regular or ad hoc inspections of operators' premises to ensure that no illicit drug manufacture takes place.

44. Governments have emphasized the importance of cooperating with international organizations as well as with Governments within and outside the region in detecting and investigating diversion of substances into the illicit market. Several Governments have attributed recent law enforcement successes to the effective exchange of information on that subject. Nevertheless, INCB in its report for 1995,[5] expressed concern about the failure of some Governments to relay information relating to the legitimacy of transactions in a timely manner.

IV. SUPPRESSION OF ILLICIT TRAFFICKING IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

45. Several Governments reported the conclusion of bilateral or regional agreements or other arrangements aimed at suppressing illicit trafficking in narcotic drugs and psychotropic substances. Such agreements, which are mostly concluded with neighbouring States or States in the region, have as their objective the institutionalization of cooperation involving law enforcement authorities at all levels. Personal contacts that are established at international meetings dealing with law enforcement issues, such as the meetings of heads of national drug law enforcement agencies, have also contributed to better regional cooperation in law enforcement matters.

46. States reported sharing information on methods and routes used for illicit drug trafficking through the International Criminal Police Organization (ICPO/Interpol) and the Customs Cooperation Council (also called the World Customs Organization) or regional organizations. Operational information is also exchanged at the regional level at meetings of heads of national drug law enforcement agencies (HONLEA) convened by UNDCP. Several European States have reported exchanging law enforcement information through specialized computerized databases. Some States have also appointed liaison officers to other States in order to facilitate the exchange of information.

47. Cooperation at the national level is as important as it is at the bilateral or multilateral levels. Several Governments have pointed to the need to improve cooperation and coordination among different national drug law enforcement agencies as a prerequisite for increased operational effectiveness. The absence of proper coordination can lead to costly duplication of effort and inefficiency, especially when it comes to collection, analysis and sharing of drug-related intelligence. Although most Governments have in place a mechanism to gather and process national drug-related intelligence, few have centralized intelligence-gathering and dissemination systems. In some countries, the lack of both financial and human resources hampers the establishment and functioning of efficient intelligence systems.

48. Governments have taken several measures to strengthen their interdiction capabilities. Controlled delivery, in particular, has come to be recognized as a useful method of tracing the delivery of illicit drugs to the ultimate destination, thus identifying and dismantling major drug trafficking organizations. Other means of combating international drug trafficking organizations, such as the use of sophisticated electronic surveillance equipment and the use of undercover agents and informants, have also been reported. Laws have been amended to implement effectively the provisions of the 1988 Convention and to provide more stringent penalties for drug trafficking offenders.

49. A number of Governments have provided technical assistance to States, equipping and strengthening their law enforcement capabilities. Programmes have been conducted to train law enforcement personnel in investigative matters and methods, interdiction and narcotics intelligence, with emphasis on training of trainers.

50. Several States have reported that the lack of efficient communication networks and means of transport often prevent law enforcement action from being more effective. Several States that are parties to the 1988 Convention still lack the resources and expertise to apply effectively the provisions of that Convention on illicit trafficking.

V. MEASURES TO BE TAKEN AGAINST THE EFFECTS OF MONEY DERIVED FROM, USED IN OR INTENDED FOR USE IN ILLICIT DRUG TRAFFICKING, ILLEGAL FINANCIAL FLOWS AND ILLEGAL USE OF THE BANKING SYSTEM

51. Several States were in the process of drafting, amending or enacting legislation to make money-laundering a criminal offence and to provide for the confiscation of the proceeds derived from, and the instrumentalities used in, illicit drug trafficking, in compliance with the 1988 Convention, articles 3 and 5. Some Governments have introduced legislation reversing the burden of proof regarding the lawful origin of proceeds liable to forfeiture, as well as the presumption of innocence in respect of possession of assets allegedly derived from illicit drug trafficking.

52. The key importance of active cooperation with banks and other financial institutions in the detection of illicit transactions and transfers of assets derived from drug-related activities has been recognized. Some Governments have adopted measures to ensure that deposits, transfers and withdrawals above a certain amount are brought to the attention of the competent authorities. Reports of such transactions or other activities that attract the suspicion of financial institutions are then used to support investigations, prosecution and confiscation. Whether reporting systems are voluntary or mandatory, failure to report suspicious transactions carries penalties and financial institutions that participate in money-laundering, even out of negligence, are subject to punishment.

53. In order to avoid criminal use of the banking system, banks and other deposit-taking financial institutions apply strict customer identification policies that require identification of new customers opening accounts and using safe deposit facilities. In some countries, the banking industry has agreed to adhere to certain principles and follows certain practices to prevent money-laundering. A number of Governments have reported that banks and other financial institutions have conducted training courses to facilitate the detection of suspicious transactions.

54. Several Governments have reported implementing the recommendations on strengthening the efforts of the international community against money-laundering, adopted by the Financial Action Task Force established by the Heads of State or Government of the Group of Seven major industrialized nations and the President of the Commission of the European Communities at the fifteenth annual economic summit, held in Paris in July 1989. The member States of the European Community must comply with the Council of the European Communities directive on prevention of the use of the financial system for the purpose of money-laundering. States have also made use of other international agreements or arrangements such as the Model Regulations Concerning Laundering Offenses Connected to Illicit Drug Trafficking and Related Offenses, adopted in 1992 by the Inter-American Drug Abuse Control Commission of the Organization of American States. In addition, several States have concluded bilateral agreements aimed at improving cooperation in the area of prevention of and action against money-laundering. Others have strengthened mutual legal assistance and extradition arrangements in order to be in a position to prosecute more effectively persons engaged in money-laundering.

55. An increased number of States have established a centrally controlled fund or a similar mechanism that permits the utilization of forfeited property and proceeds or parts thereof for activities to prevent drug abuse and illicit trafficking. The 1988 Convention encourages States to contribute confiscated proceeds to intergovernmental bodies specializing in the fight against drug abuse and illicit trafficking. Almost six years after the entry into force of that Convention, the first such contribution was received by UNDCP. In August 1996, Luxembourg contributed $200,000 to a training programme for drug control officials, coordinated by UNDCP.

VI. STRENGTHENING OF JUDICIAL AND LEGAL SYSTEMS, INCLUDING LAW ENFORCEMENT

56. In 1995, four States became parties to the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[6] seven became parties to the Convention on Psychotropic Substances of 1971[7] and 15 became parties to the 1988 Convention. Two States parties to the Single Convention on Narcotic Drugs of 1961[8] became parties to the 1972 Protocol amending that Convention. States have continued to make progress in enacting the necessary legislative and administrative measures to give effect to the conventions; others that have not yet become parties to the conventions have adopted appropriate measures to comply with their provisions while completing the comprehensive legislation required for ratification or accession. As of 31 August 1996, 142 States were parties to the 1961 Convention as amended by the 1972 Protocol, 144 States were parties to the 1971 Convention and 133 States were parties to the 1988 Convention. Eighteen States were parties to the 1961 Convention in its unamended version.

57. The high level of adherence does not fully reflect the extent to which treaties have been implemented. While the majority of Governments have established a basic legal and administrative framework within which treaties can operate, enactment of legislation on issues such as money-laundering or mutual legal assistance has been slow, also partly because of lengthy parliamentary processes.

58. Some Governments have reported negotiating bilateral agreements that provide for mutual legal assistance that complements and expands the obligations under article 7 of the 1988 Convention, thus allowing for the greatest possible measure of mutual legal assistance in judicial proceedings and agreements that facilitate extradition proceedings concerning drug-related offences.

59. A subregional workshop, organized jointly by UNDCP and the Ministry of Justice of France, was held from 24 to 27 April 1995 at Saint-Denis, Réunion, for justice officials of Indian Ocean States on judicial

cooperation against drugs. The workshop identified areas in which the participating Governments, including Comoros, Madagascar, Mauritius, Réunion and Seychelles, could increase their cooperation. The workshop discussed the issue of harmonization of legislation and implementation of the 1988 Convention.

60. A number of Governments have reported overhauling their penal codes with a view to facilitating the investigation and prosecution of major drug trafficking organizations, often resulting in a broader definition of punishable offences and more stringent penalties for drug trafficking. Other such legislation in draft form or recently enacted, is aimed at extending investigatory powers in domestic laws; it permits, *inter alia*, the use of undercover agents, as well as the monitoring telephone calls or the use of other methods of electronic surveillance.

61. Several Governments have reported implementing activities to strengthen the judiciary through various measures such as increasing the number of judges that deal with drug-related offences in order to accelerate prosecution of drug offenders. Training has been provided to judges on appropriate sentencing alternatives to conviction or punishment (such as community service or treatment and rehabilitation) for persons convicted of minor drug-related offences, as provided for in the international drug control treaties. Mechanisms have been introduced to strengthen the exchange of information between the judiciary and law enforcement agencies.

62. The fact that several Governments have reported studying and promoting measures to protect the judiciary from any form of exposure and intimidation threatening its independence and integrity indicates an increasing awareness of the problem. Few Governments have enacted legislation that establishes as an offence the act of harming or intimidating a person who assists the police or who acts as a witness or juror in any criminal proceedings; however where such legislation exists it is widely used.

VII. MEASURES TO BE TAKEN AGAINST THE DIVERSION OF ARMS AND EXPLOSIVES AND ILLICIT DRUG TRAFFICKING BY VESSELS, AIRCRAFT AND VEHICLES

63. Many States have strict legislative measures in place that control the import and export of weapons and explosives with a view to preventing their diversion into illicit markets. The Council of the European Communities directive on control of the acquisition and possession of weapons has to be applied by all member States of the European Community.

64. With respect to measures to prevent the use in illicit drug trafficking of means of transport operated by airline or other commercial carriers, and in line with several provisions of article 15 of the 1988 Convention, some Governments have concluded memoranda of understanding with organizations and affiliated airline and shipping companies in order to prevent illegal access to and use of aircraft and vehicles. Airline staff are being trained to recognize possible cases involving illicit trafficking by aircraft. Introduction of the system of advance passenger clearance to facilitate the handling of passengers at international airports has also resulted in improved detection of drug trafficking.

65. In order to counteract the illicit traffic by sea, Governments have supplemented the controls applied by police and customs authorities at official points of entry by other measures such as regular patrols along coastlines so as to achieve more complete coverage of water approaches. The recommendations of the Working Group on Maritime Cooperation (Vienna, 19-23 September 1994 and 20-24 February 1995) and the meeting of the Expert Group on Maritime Drug Law Enforcement (Vienna, 27-29 February 1996), both convened by

UNDCP, have led to the establishment of a practical framework to enhance maritime cooperation in countering drug trafficking by sea. Following an assessment of the training capacities and needs of Governments in the area of maritime drug law enforcement, UNDCP is preparing a training guide to assist Governments in enhancing global implementation of the provisions of article 17 (illicit traffic by sea) of the 1988 Convention. The States members of the Council of Europe have concluded the Agreement on Illicit Traffic by Sea, Implementing Article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

VIII. UNITED NATIONS DECADE AGAINST DRUG ABUSE, COVERING THE YEARS 1991-2000

66. The high priority attached by Member States to the speedy implementation of the Global Programme of Action was emphasized in the Political Declaration which, together with the Global Programme of Action, was adopted by the General Assembly at its seventeenth special session in February 1990 (resolution S-17/2, annex). The Assembly, in the Political Declaration, proclaimed the period from 1991 to 2000 the United Nations Decade against Drug Abuse, to be devoted to effective and sustained national, regional and international actions to promote the implementation of the Global Programme of Action. In its resolution 50/148, section II, the Assembly reaffirmed the importance of achieving the objectives of the Decade by Member States, UNDCP and the United Nations system.

67. In October 1995, UNDCP appointed a Japanese grand champion sumo wrestler as one of its Goodwill Ambassadors. UNDCP continues to count on the services of other Goodwill Ambassadors, such as the renowned Chung Trio from the Republic of Korea, who promoted awareness of the problem of drug abuse and activities of UNDCP in their concert appearances in different countries, or the Tahuichi Aguilera Football Academy of Bolivia, which encourages young people to adopt a drug-free, healthy lifestyle by becoming involved in sports.

68. On the occasion of the International Day against Drug Abuse and Illicit Trafficking, on 26 June, the network of United Nations information services or centres and UNDCP field offices distributed brochures, leaflets, video cassettes and posters. Many Member States produced videos, posters, T-shirts or other material to mark the observance of the International Day. Special messages by the Secretary-General of the United Nations and by the Executive Director of UNDCP were disseminated. At the national level, statements made by ministers responsible for drug-control matters received wide attention.

69. In connection with the centennial Olympic games, held at Atlanta, Georgia, United States of America, from 19 July to 4 August 1996, UNDCP and the International Olympic Committee organized an international photo exhibit on the theme "Sports against drugs". The exhibit was displayed in the Olympic Village throughout the Olympic Games. The efforts were part of a "Sports against drugs" campaign launched jointly by UNDCP and the International Olympic Committee at Rome in 1995. A number of prominent athletes have supported the campaign by signing a declaration rejecting drug abuse. The campaign calls on Governments, sports federations and national olympic committees to develop programmes and disseminate messages which promote healthy lifestyles and alternative coping skills, especially for high-risk urban youth.

IX. RESOURCES AND STRUCTURE

70. In adopting the Global Programme of Action, the General Assembly decided that a higher priority should be accorded, within the United Nations system, to the allocation of the necessary financial, personnel and other resources for drug control activities. For the United Nations proper, the Assembly recognized the need for additional resources in the expectation that that decision would be reflected in the higher priority accorded to drug control activities in the medium-term plan for the period 1992-1997 and in the corresponding biennial budgets. However, international drug control is no longer included among the proposed priorities reflected in the medium-term plan for the period 1998-2001.

71. The budget of UNDCP comprises two separate and complementary parts: the regular budget approved by the General Assembly; and the Fund of the United Nations International Drug Control Programme, approved by the Commission on Narcotic Drugs. The Fund, established in 1991 by the General Assembly, is under the direct responsibility of the Executive Director of UNDCP and is supported from extrabudgetary resources.

72. The total budget of UNDCP for the biennium 1996-1997 amounts to $169 million, of which $152.4 million, or 90.2 per cent, is funded from voluntary contributions under the Fund and $16.6 million, or 9.8 per cent, from the regular budget of the United Nations. The Fund's total income for 1996-1997 is estimated at $114.6 million, resulting in an expected shortfall of income over expenditure of $37.8 million. The regular budget of UNDCP of $16.6 million reflects a decrease of nearly $1 million following the overall budget reductions mandated for the United Nations by the General Assembly in its resolution 50/214 of 23 December 1995.

73. The regular budget of UNDCP mainly finances treaty implementation and legal affairs at UNDCP headquarters. Of the Fund resources, $121.4 million or 79.6 per cent are for project activities mainly in developing countries, helping them to comply with their treaty obligations and cope with problems related to illicit drug production, trafficking and abuse. The remaining $31.1 million or 20.4 per cent of the Fund's resources cover the costs of the field office network and a share of headquarters expenses. The main share of voluntary funds, namely $121.4 million, is utilized to fund approximately 350 projects implemented in over 50 countries. The largest share of spending is in Latin America and the Caribbean, followed by Asia and the Pacific, Europe and the Middle East, and Africa.

74. UNDCP has introduced a number of improvements in the administrative area during the period under review. A rotation policy covering the reassignment of UNDCP staff members between and within duty stations was launched in May 1995. A system of mandatory budget revisions has been introduced for projects implemented by UNDCP and executing agencies. UNDCP established a new system of matching and monitoring the funding of project activities. Finally, UNDCP introduced a new budget concept for headquarters and field operations based on costed workplans. This budget concept has provided the basis for the new programme monitoring system, which enhances transparency of operation and provides a tool to senior management to direct the implementation of approved activities.

Notes

[1] *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, vol. I (United Nations publications, Sales No. E.94.XI.5).

[2] United Nations, *Treaty Series*, vol. 1019, No. 14956.

[3] United Nations publication, Sales No. E.96.XI.6.

[4] *Report of the International Narcotics Control Board for 1995* (United Nations publication, Sales No. E.96.XI.1), para. 74.

[5] Ibid., para. 134.

[6] United Nations, *Treaty Series*, vol. 976, No. 14152.

[7] Ibid., vol. 1019, No. 14956.

[8] Ibid., vol. 520, No. 7515.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/51/437
30 September 1996

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 102

INTERNATIONAL DRUG CONTROL

Implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

Report of the Secretary-General

CONTENTS

		Paragraphs	*Page*
INTRODUCTION		1 - 2	3
I.	STATUS OF ADHERENCE TO AND IMPLEMENTATION OF THE 1988 CONVENTION	3 - 5	3
II.	IMPLEMENTATION OF ARTICLE 5, PARAGRAPH 4, AND ARTICLES 6 AND 7 OF THE 1988 CONVENTION	6 - 9	4
	A. Article 5, paragraph 4: request for confiscation or related investigations	7	4
	B. Article 6: request for extradition	8	4
	C. Article 7: request for mutual legal assistance	9	4
III.	ACTIVITIES UNDERTAKEN BY THE UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME FOR THE IMPLEMENTATION OF THE 1988 CONVENTION	10 - 14	5

96-25759 (E) 031096 071096

CONTENTS *(continued)*

		Paragraphs	*Page*
	A. Provision of legal assistance to Member States	10 - 12	5
	B. Commentary on the 1988 Convention	13 - 14	5
IV.	ACTIVITIES UNDERTAKEN BY THE DEPARTMENT OF PUBLIC INFORMATION TO DISSEMINATE INFORMATION ABOUT THE 1988 CONVENTION	15 - 17	6
V.	RECOMMENDATIONS BY THE COMMISSION ON NARCOTIC DRUGS FOR FURTHER IMPLEMENTATION OF THE 1988 CONVENTION	18 - 30	6
	A. Adherence to and implementation of international drug control treaties	20	7
	B. Recommendations of the Working Group on Maritime Cooperation	21 - 25	7
	C. Role of Governments and the International Narcotic Control Board in furthering the implementation of article 12 of the 1988 Convention	26 - 28	8
	D. Action that States should take to broaden measures against money-laundering	29	9
	E. Cooperation between the United Nations International Drug Control Programme, together with the Crime Prevention and Criminal Justice Division of the Secretariat, and the Financial Action Task Force	30	9

Annexes

I.	Status of adherence to the international drug control treaties as at 30 June 1996	11
II.	Legal assistance provided to Governments by UNDCP between 1 July 1994 and 30 June 1996	13

INTRODUCTION

1. The General Assembly, in its resolution 49/168, section VI, of 23 December 1994, on international action to combat drug abuse and illicit production and trafficking, requested the Secretary-General to submit to the Assembly at its fifty-first session an updated report on the status of the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.[1]

2. The present report, prepared pursuant to General Assembly resolution 49/168, reviews the implementation of the 1988 Convention over a two-year period, from 1 July 1994 to 30 June 1996.

I. STATUS OF ADHERENCE TO AND IMPLEMENTATION OF THE 1988 CONVENTION

3. The General Assembly, in its resolution 49/168, section II, urged States to ratify or accede to the 1988 Convention, as well as to the other main international drug control treaties, namely, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol[2] and the Convention on Psychotropic Substances of 1971.[3]

4. As at 30 June 1996, 156 States were parties to the Single Convention on Narcotic Drugs of 1961[4] or to that Convention as amended by the 1972 Protocol (of those 156 States, 17 were parties to the 1961 Convention only), 144 States were parties to the 1971 Convention and 132 were parties to the 1988 Convention (see annex I for the status of adherence). During the reporting period, ratification or accession to the international drug control treaties evolved as follows: 13 States* became parties to the 1961 Convention as amended by the 1972 Protocol (either by directly becoming parties to the 1961 Convention as amended by the 1972 Protocol or, for those that had been parties to the 1961 Convention only, by becoming parties to the 1972 Protocol); 13 States** became parties to the 1971 Convention; and 31 States*** became parties to the 1988 Convention.

5. The General Assembly, in its resolution 49/168, section II, called upon all States to adopt adequate national laws and regulations, to strengthen national judicial systems and to carry out effective drug control activities in cooperation with other States in accordance with international instruments. Texts of drug control laws and regulations provided by States to the Secretary-General are published by the United Nations International Drug Control Programme (UNDCP) in the E/NL.. series of documents. Legislation adopted and published during the reporting period includes the following: amendments in lists of controlled substances, usually to bring the domestic scope of control into line with treaty provisions; comprehensive drug control acts dealing with the

---

* Ethiopia, Gambia, Guinea-Bissau, Kyrgyzstan, Mali, Mauritius, Republic of Moldova, Russian Federation, Swaziland, Switzerland, Turkmenistan, Uzbekistan and Yemen.

** Chad, Belgium, Gambia, Guinea-Bissau, Kyrgyzstan, Lebanon, Mali, Republic of Moldova, Swaziland, Switzerland, Turkmenistan, Uzbekistan and Yemen.

*** Algeria, Belgium, Cape Verde, Chad, Cuba, Ethiopia, Gambia, Guinea-Bissau, Haiti, Jamaica, Kyrgyzstan, Lebanon, Lesotho, Malawi, Mali, Malta, Norway, Philippines, Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Swaziland, Tajikistan, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, United Republic of Tanzania, Uruguay, Uzbekistan and Yemen.

organization of licit drug-related activities, the prohibition and repression of illicit operation, and the treatment and rehabilitation of drug abusers; and amendments to penal codes providing for more severe penalties for drug trafficking or establishing new forms of criminal offences. There has been intensive legislative activity in the following three areas covered by the 1988 Convention: the control of illicit drug proceeds, with the adoption of numerous laws providing for the detection and repression of money-laundering activities and the confiscation of proceeds;**** the provision of mutual legal assistance in criminal matters, including drug-related offences; and the establishment of precursor control mechanisms.

II. IMPLEMENTATION OF ARTICLE 5, PARAGRAPH 4, AND ARTICLES 6 AND 7 OF THE 1988 CONVENTION

6. In response to an increasing number of enquiries addressed to UNDCP concerning three articles of the 1988 Convention, the Programme sent a special questionnaire to States in 1995 on the implementation of article 5, paragraph 4, concerning requests for confiscation of proceeds, property, instrumentalities or any other things used in or intended for use in any manner in offences established in accordance with article 3, paragraph 1, of the Convention; the implementation of article 6, concerning extradition for drug-related offences; and the implementation of article 7, concerning mutual legal assistance in investigations, prosecutions and judicial proceedings related to drug offences.

A. Article 5, paragraph 4: request for confiscation or related investigations

7. Most of the States that returned the questionnaire reported that they had neither made nor received requests for confiscation. Six States reported having made requests for confiscation of narcotic drugs and psychotropic substances. One State reported having received funds following a request for confiscation of proceeds of drug trafficking.

B. Article 6: request for extradition

8. Nine States made or received requests for extradition pursuant to the provisions of article 6 of the 1988 Convention during 1995. Some States reported, however, that they could not furnish statistics for extradition for drug-related offences as their legal systems made no such distinctions.

C. Article 7: request for mutual legal assistance

9. Of the three fields for which data were requested, mutual legal assistance was by far the most frequently resorted to. The majority of States that returned the questionnaire reported having made and/or received a considerable number of requests for mutual legal assistance. Some reported having received and/or made requests for tracing property derived from drug trafficking, locating witnesses, taking evidence and, in some instances, providing evidence before courts of requesting countries, while others reported making or receiving requests for service of judicial documents. One State party to the 1988 Convention reported that in four instances the

---

**** Of the laws providing for the confiscation of proceeds, a few provide for the enforcement of foreign confiscation orders, while others provide for the sharing of forfeited proceeds of drug trafficking and of amounts paid on account of fines among authorities that cooperated in the investigations leading to confiscation.

Convention was used as the basis for mutual legal assistance in the absence of treaties on mutual legal assistance in criminal matters.

III. ACTIVITIES UNDERTAKEN BY THE UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME FOR THE IMPLEMENTATION OF THE 1988 CONVENTION

A. Provision of legal assistance to Member States

10. The General Assembly, in its resolution 49/168, section II, requested UNDCP to continue to provide legal assistance to Member States, upon request, in the adjustment of their national laws, policies and infrastructure to implement the international drug control conventions, as well as assistance in training personnel responsible for applying the new laws.

11. During the reporting period, legislative assistance was provided by UNDCP to requesting States (see annex II) using the following four-step methodology:

(a) Holding of evaluation missions, where the need for new or revised legislation was assessed and supported at both the political and executive levels;

(b) Preparation of new or revised legislation, once political and executive commitments had been made;

(c) Advisory support to Governments during the legislative approval and ratification process;

(d) Transfer of technical expertise to ensure the implementation of the conventions and domestic legislation, through training and the holding of legal workshops to resolve national, subregional and regional implementation problems.

Many States that had received legal assistance and had ratified the international drug control conventions either enacted new drug control legislation or had a draft law ready for submission to parliament.

12. Model legislation has been developed by UNDCP to promote more uniform implementation of the international drug control treaties and to facilitate international cooperation. A package of model laws on the regulation of licit activities, the repression of illicit activities, extradition and mutual legal assistance, money-laundering and confiscation of proceeds, as well as on the creation of required drug control bodies and coordination mechanisms, is available in Arabic, English, French, Portuguese, Russian and Spanish, for use in the main legal systems. Model laws are updated and upgraded periodically, in line with significant trends and developments and are reviewed by informal meetings of international experts.

B. Commentary on the 1988 Convention

13. The Economic and Social Council, in its resolution 1993/42 of 27 July 1993, requested the Secretary-General to prepare a commentary on the 1988 Convention. The Commentary is expected to be ready by December 1996.

14. Like the commentaries on the 1961 Convention,[5] on the 1972 Protocol amending that Convention[6] and on the 1971 Convention,[7] the Commentary on the 1988 Convention will be aimed at guiding Governments in framing legislative and administrative measures for effective implementation and uniform interpretation of the Convention. In addition, the Commentary on the 1988 Convention will, for the first time, contain practical guidelines for the implementation of the Convention. This innovation, requested by the Commission on Narcotic Drugs, is expected to be of particular interest to Governments.

IV. ACTIVITIES UNDERTAKEN BY THE DEPARTMENT OF PUBLIC INFORMATION TO DISSEMINATE INFORMATION ABOUT THE 1988 CONVENTION

15. The Department of Public Information of the Secretariat continues to promote the 1988 Convention, as requested by the General Assembly in its resolution 47/97 of 16 December 1992 and within the inter-agency efforts requested by the Assembly in its resolution 49/168 of 23 December 1994. The Department has provided substantial follow-up to earlier campaigns. The 1988 Convention and the role of the United Nations in combating drug trafficking and money-laundering were highlighted by the Department in two of its "UN in Action" television programmes, two television interviews for "World Chronicle", two articles in its publication Development Update, four articles in the UN Chronicle and more than 100 United Nations radio programmes during the past two years.

16. The Department produced press kits for each of the two annual reports released by the International Narcotics Control Board, which make prominent mention of the 1988 Convention. In conjunction with the release of the annual reports, the Department organized press conferences at Headquarters in New York as well as in scores of cities around the world, with the assistance of the United Nations information centres and services. The Department also produced press kits for the observance on 26 June of the "International Day against Drug Abuse and Illicit Trafficking", in 1995 and 1996. The Department has carried out extensive media outreach both at Headquarters and at Vienna, successfully arranging broadcast and print interviews for the reports of the International Narcotics Control Board and the International Day.

17. The United Nations International Drug Control Programme, assisted by the Department, prepared a major exhibition on "Sports against drugs", that was inaugurated at Vienna. The exhibit moved to Headquarters to coincide with the high-level segment of the Economic and Social Council on drug abuse and drug trafficking, before moving to the Olympics at Atlanta, Georgia, where it was the only United Nations exhibit. Prominent athletes and personages attended the opening of the exhibit in all three cities. In addition, wide press coverage was given to the Economic and Social Council high-level segment, with radio interviews on the report of the Secretary-General and the work of the United Nations International Drug Control Programme.

V. RECOMMENDATIONS BY THE COMMISSION ON NARCOTIC DRUGS FOR FURTHER IMPLEMENTATION OF THE 1988 CONVENTION

18. In accordance with a request of the Commission on Narcotic Drugs at its thirty-seventh session, the Secretariat submitted a note to the Commission at its thirty-eighth session on the adequacy of existing national drug control legislation (E/CN.7/1995/12), for consideration under item 6 of its agenda, entitled "Implementation of the international drug control treaties". It also submitted a thematic list of its collection of texts of legislation on money-laundering, confiscation of proceeds, extradition, mutual legal assistance, controlled delivery and the control of precursors, prepared as a background document to the note on the adequacy of national legislation.

The note dealt with whether States parties to international drug control treaties translated into their domestic national legislation their obligations under those treaties. While stressing the fundamental importance of national legislation for treaty implementation and for an efficient drug control system, it was noted that certain factors, such as administrative policies, strategies used by the control authorities and the human and financial resources available for drug control, were decisive in the effective implementation of legislative provisions on drug control.

19. Cumulative indexes for 1994 and for the period 1991-1995,[8] listing drug control legislation adopted by States parties and non-parties to international drug control treaties were presented by the Secretariat to the Commission at its thirty-eighth and thirty-ninth sessions, respectively.

A. Adherence to and implementation of the international drug control treaties

20. In its resolution 3 (XXXIX) of 25 April 1996, the Commission urged all States to accede to the international drug control treaties before the end of the United Nations Decade against Drug Abuse, covering the years from 1991 to 2000. In the same resolution, it invited Member States to monitor the conformity of national legislation with the existing international drug control treaties and to adopt the measures necessary to strengthen the effectiveness of action involving prevention and cooperation of the judiciary and law enforcement agencies. As regards regional and international cooperation, the Commission requested Member States to strengthen joint strategies designed to control various forms of crime linked to drug trafficking, for instance by adopting and intensifying the use of the technique of controlled delivery, which had proved effective in dealing with the increasingly complex activities of organized crime.

B. Recommendations of the Working Group on Maritime Cooperation

21. The Commission, in its resolution 8 (XXXVIII) of 23 March 1995, endorsed the report, including the recommendations, of the meeting of the Working Group on Maritime Cooperation, which met at Vienna from 19 to 23 September 1994 and from 20 to 24 February 1995. The Working Group had been entrusted with the mandate to develop a set of comprehensive principles and specific recommendations to enhance on a global basis the implementation of article 17 of the 1988 Convention.

22. In the same resolution, the Commission urged Governments to consider closely the recommendations of the Working Group in implementing article 17 of the 1988 Convention. In order to achieve broad-based cooperation against drug trafficking by sea, the Commission recommended that Governments should encourage commercial carriers and professional groups active in maritime transport to become involved in the fight against the illicit drug traffic, on the basis of voluntary cooperation and through memoranda of understanding at the national and international levels, as well as through training to increase the awareness of maritime transport personnel with regard to illicit drug trafficking.

23. Pursuant to the recommendations contained in the report of the Working Group (E/CN.7/1995/13, para. 9), the Commission, in its resolution 8 (XXXVIII), requested UNDCP to convene an expert group meeting to develop training and technical assistance programmes in maritime drug law enforcement. Accordingly, an Expert Group on Maritime Drug Law Enforcement met at Vienna from 27 to 29 February 1996. It considered the development of a training programme for minimum standards and safeguards in the conduct of stopping and boarding vessels and carrying out searches at sea, in accordance with the international law of the sea; the formation of multinational mobile training teams to carry out such training programmes in States at their request; and the development of training materials on techniques and methods for inspecting vessels and establishing

timetables for their dissemination. Its recommendations were submitted to the Commission at its thirty-ninth session.

24. In its recommendation, the Expert Group identified a need for common standard training curricula designed to promote a consistent international approach to maritime law enforcement. Such an approach would foster closer cooperation and greater uniformity in the implementation of article 17 of the 1988 Convention. The Expert Group also recommended that UNDCP should undertake missions to requesting States in order to conduct a thorough needs assessment, to identify the assistance and training required, particularly in the establishment of or upgrading of ship registries, and to enable States to provide timely and reliable information.

25. In the light of the recommendations of both the Working Group on Maritime Cooperation and the Expert Group on Maritime Drug Law Enforcement, the Commission urged UNDCP to prepare training guides as well as other forms of technical cooperation. It stressed that holding a regional seminar on operational training for maritime law enforcement would be useful. In that connection, the Commission endorsed the proposal of the Government of Japan to convene a UNDCP regional seminar on maritime drug law enforcement in Asia and the Pacific and to make a voluntary financial contribution to the holding of such a seminar.

C. Role of Governments and the International Narcotics Control Board in furthering the implementation of article 12 of the 1988 Convention

26. In considering the report of the International Narcotics Control Board for 1995 on the implementation of article 12 of the 1988 Convention,[10] the Commission noted the emphasis placed by the Board on the application of a minimum set of controls by Governments to prevent diversions of precursor chemicals. It also noted that all Governments that had not already done so should take immediate action in establishing practical systems to monitor the movement of precursors, adding that such systems could be established with or without having relevant or comprehensive legislation in place. To assist in that endeavour, the Commission concluded that all Governments should re-examine the recommendations made in the report of the Board for 1994 on the implementation of article 12,[11] as endorsed by the Economic and Social Council in its resolution 1995/20 of 24 July 1995, and should take the steps described in the report of the Board for 1995 on the implementation of article 12.

27. While welcoming the continuing cooperation between Governments, the Commission endorsed the view of the Board that controls could be made more effective if there was a greater exchange of information on a regular and routine basis, either through the Board or directly between national authorities. It agreed that timely sharing of information, on a global basis, was essential if diversions were to be prevented and that Governments should continue to develop appropriate systems for sharing information so that they could identify and investigate suspicious transactions. Governments with such systems already in place were urged to use them to alert other Governments, as appropriate, through the Board, as soon as suspicious transactions had been identified and stopped.

28. Noting that free ports and free export processing zones had been frequently used as points of diversion, the Commission recalled that it was a treaty obligation to monitor closely the movements of precursors in such trading centres. It noted that Governments should provide for a mechanism to seize consignments of precursors when adequate grounds for suspicion had been established.

D. Action that States should take to broaden measures against money-laundering

29. In its resolution 5 (XXXIX) of 24 April 1996, the Commission expressed its awareness that the proceeds generated by drug trafficking and other illicit activities were being placed into banks and other legitimate financial institutions and that the ability of banks and other financial institutions to screen potentially criminal customers was a potent weapon in the fight against money-laundering. In the same resolution, the Commission specified measures that States and banks and other financial institutions should take to combat money-laundering.

E. Cooperation between the United Nations International Drug Control Programme, together with the Crime Prevention and Criminal Justice Division of the Secretariat, and the Financial Action Task Force

30. In its resolution 5 (XXXIX), the Commission noted that the 40 recommendations of the Financial Action Task Force established by the heads of State or Government of the Group of Seven major industrialized countries and the President of the Commission of the European Communities remained the standard by which measures against money-laundering adopted by the States concerned should be judged. In the same resolution, the Commission urged UNDCP, together with the Crime Prevention and Criminal Justice Division of the Secretariat, to continue to work with the Financial Action Task Force and other relevant multilateral and regional institutions, in the fight against money-laundering and drug trafficking, with a view to strengthening international efforts in this field, and to review progress made by States in implementing the provisions of the 1988 Convention against money-laundering.

Notes

[1] *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, vol. I (United Nations publication, Sales No. E.94.XI.5).

[2] United Nations, *Treaty Series*, vol. 976, No. 14152.

[3] Ibid., vol. 1019, No. 14956.

[4] Ibid., vol. 520, No. 7515.

[5] *Commentary on the Single Convention on Narcotic Drugs, 1961* (United Nations publication, Sales No. E.73.XI.1).

[6] *Commentary on the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961* (United Nations publication, Sales No. E.76.XI.6)

[7] *Commentary on the Convention on Psychotropic Substances* (United Nations publication, Sales No. E.76.XI.5).

[8] *Cumulative Index 1994: National Laws and Regulations Relating to the Control of Narcotic Drugs and Psychotropic Substances* (United Nations publication, Sales No. E.96.XI).

[9] *Cumulative Index 1991-1995: National Laws and Regulations Relating to the Control of Narcotic Drugs and Psychotropic Substances* (United Nations publication, Sales No. E.96.XI.5).

[10] *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1995 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.96.XI.4).

[11] *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1994 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.95.XI.1).

Annex I

STATUS OF ADHERENCE TO THE INTERNATIONAL DRUG CONTROL TREATIES AS AT 30 JUNE 1996

A. Single Convention on Narcotic Drugs of 1961 and that Convention as amended by the 1972 Protocol

1. The following 156 States are parties to the Single Convention on Narcotic Drugs of 1961[a] (underlined) or are parties to that Convention as amended by the 1972 Protocol:[b]

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

B. Convention on Psychotropic Substances of 1971

2. The following 144 States are parties to the Convention on Psychotropic Substances of 1971:[c]

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Holy See, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Myanmar, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania,

Russian Federation, Rwanda, Saint Kitts and Nevis, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

C. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

3. The following 132 States are parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988:[d]

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Morocco, Myanmar, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Yugoslavia, Zambia and Zimbabwe.

4. On 31 December 1990 the European Community deposited its instrument of formal confirmation of the 1988 Convention (extent of competence: article 12).

Notes

[a] Entry into force: 13 December 1964.
[b] Entry into force: 8 August 1975.
[c] Entry into force: 16 August 1976.
[d] Entry into force: 11 November 1990.

Annex II

LEGAL ASSISTANCE PROVIDED TO GOVERNMENTS BY UNDCP BETWEEN 1 JULY 1994 AND 30 JUNE 1996

A. Legal assistance missions

1. Between 1 July 1994 and 30 June 1996, legal assistance missions were carried out in the following countries or territories:

Albania, Angola, Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Bolivia, Brazil, Cambodia, Cameroon, Cape Verde, Colombia, Congo, Cook Islands, Costa Rica, Croatia, Dominican Republic, El Salvador, Estonia, Fiji, Ghana, Grenada, Guatemala, Guyana, Honduras, Jamaica, Kiribati, Lao People's Democratic Republic, Latvia, Lebanon, Lithuania, Mauritius, Namibia, Nauru, Nicaragua, Nigeria, Niue, Pakistan, Panama, Papua New Guinea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands, Slovakia, Slovenia, Tajikistan, United Republic of Tanzania, Tonga, Trinidad and Tobago, Tuvalu, Vanuatu, Viet Nam and Zambia.

B. Regional legal workshops

2. Regional legal workshops were held in which the following countries or territories participated:

Albania, Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Botswana, Brunei Darussalam, Cambodia, Cyprus, Comoros, Costa Rica, Dominican Republic, El Salvador, Estonia, Gambia, Ghana, Grenada, Guatemala, Guyana, Honduras, India, Indonesia, Jamaica, Kazakstan, Kenya, Kyrgyzstan, Kiribati, Lao People's Democratic Republic, Latvia, Lesotho, Lithuania, Madagascar, Malaysia, Malawi, Mauritius, Mozambique, Myanmar, Namibia, Nicaragua, Nigeria, Panama, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Solomon Islands, Seychelles, Singapore, South Africa, Swaziland, Tajikistan, United Republic of Tanzania, Thailand, Trinidad and Tobago, Turkmenistan, Uganda, Uzbekistan, Viet Nam, Zambia and Zimbabwe.

C. Legal training workshops

3. Legal training workshops were held in which the following countries or territories participated:

Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Bolivia, Burkina Faso, Cape Verde, Costa Rica, Côte d'Ivoire, El Salvador, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Honduras, Jamaica, Lao People's Democratic Republic, Lebanon, Liberia, Mali, Mauritania, Namibia, Nicaragua, Niger, Nigeria, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Togo, Trinidad and Tobago and Yemen.

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/51/438
S/1996/812
30 September 1996
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fifty-first session
Agenda items 81 and 145
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY
UNITED NATIONS DECADE OF INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-first year

Letter dated 30 September 1996 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 30 September 1996 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the statements made in New York on 23 September 1996 by Tansu Çiller, Minister for Foreign Affairs of Turkey, to news agency correspondents and reporters.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 81 and 145, and of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

ANNEX

Letter dated 30 September 1996 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my earlier letters concerning United States and Turkish interference in the internal affairs of the Republic of Iraq, I should like to inform you of the statements made in New York to news agency correspondents and reporters on 23 September 1996 by Tansu Çiller, Minister for Foreign Affairs of Turkey, after her meeting with the United States Secretary of State, when she again confirmed United States and Turkish interference in Iraq's internal affairs.

Çiller said:

> "The fact is that my country, geographically speaking, is located in a strategic area, as is well known. We have done everything asked of us by the United States. As you know, we helped to transport United States citizens from Iraq through Turkey in order to save them. Then we helped our United States ally to bring American Government officials out of Iraq for onward travel through Turkey. They asked us to help 2,500 people, Kurds who live in this part of the world, for humanitarian reasons, and we responded immediately to that request also. So, for all the things our United States ally requested, our response has been immediate. I believe that our actions speak for themselves."

To a correspondent's question as to whether Turkey was not ready to cancel the security zone, the Turkish Minister for Foreign Affairs replied as follows:

> "We are not ready to cancel the security zone, because we fear the influx of refugees and the PKK has stationed themselves right next to our borders. ... [The security zone] must be temporarily a danger zone."

The statements made by Tansu Çiller clearly reveal the following facts:

1. Turkey is colluding with the Government of the United States in large-scale intervention in the internal affairs of Iraq for the purpose of undermining Iraq, changing its national political regime and threatening its territorial integrity.

Tansu Çiller has admitted that Turkey cooperated with the United States in evacuating of what she calls American officials and American nationals who were in northern Iraq. These Americans did not enter Iraq in a legal and legitimate manner but were secretly infiltrated into northern Iraq with the assistance of the Turkish Government. All of them are officers, spies and saboteurs working for the United States Central Intelligence Agency (CIA).

2. The aforesaid Americans were infiltrated into northern Iraq to carry out a covert operation that was planned and financed by the United States Administration and implemented directly by the CIA. In this connection, I refer

to the details of this criminal American covert operation that I communicated to you in my letter of 10 September 1996 (A/51/345-S/1996/739, annex).

The statements made by Tansu Çiller confirm Turkey's involvement in this large-scale covert operation against the sovereignty, security, political independence and territorial integrity of Iraq.

3. The statements made by Tansu Çiller expose the plans of the Turkish Government to occupy Iraqi territory in order to establish what Çiller calls a security zone or "temporarily a danger zone". The Turkish plans constitute blatant aggression against Iraq, overt interference in Iraq's internal affairs, a violation of its territorial integrity and a breach of the principles of international law and the Charter of the United Nations.

The Government of Iraq requests the United Nations to put an end to the interference in Iraq's internal affairs by the Governments of the United States and Turkey, given that such policies are incompatible with the letter and spirit of the Charter and do not advance the goal of building peace and stability in the region or in the world.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda items 81 and 145, and of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq